

ORDINANCE O-2-18

Code of the Town of Cheverly

**An Ordinance whereby the Mayor and Council are amending the Streets, Sidewalks and Other Public Works Projects
Chapter regarding traffic calming devices**

WHEREAS, Article VII, Section C-23A (12)&(14) of the Charter of the Town of Cheverly grants to the Mayor and Town Council the power to regulate the use of public ways and to prevent nuisances within the Town; and

WHEREAS, the Mayor and Town Council deem that amending this portion of Chapter 24 will make more efficient the process by which traffic calming devices are processed.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Town Council, in regular session assembled, that Section 16-5 of the Cheverly Code be amended by altering Subsection 24-16.1 as follows:

Chapter 24 - STREETS, SIDEWALKS AND OTHER PUBLIC WORKS PROJECTS

Sec. 24-16.1. - Speed humps TRAFFIC CALMING DEVICES

(a) Definitions. As used in this section; the following terms shall have the meanings indicated:

RAISED CROSSWALK(S): AN AREA DESIGNATED FOR PEDESTRIANS TO CROSS FROM ONE SIDEWALK TO ANOTHER THAT SHALL BE INSTALLED FOR THE PURPOSE OF IMPROVING PEDESTRIAN AND TRAFFIC SAFETY.

RUMBLE STRIP(S): AN AREA SCORED INTO THE ROADWAY AT A DESIGNED INTERVAL IN ORDER TO WARN MOTORISTS OF THEIR POTENTIAL INCREASE IN SPEED AND/OR TO WARN MOTORISTS OF AN IMPENDING STOP SIGN OR CROSSWALK.

Speed humps: A raised or installed section of asphalt or other construction material constructed on a roadway, modeled after the Tacoma hump, with "dip and crown" shape as viewed in cross section, on a base twelve (12) feet long, measured parallel to the curblines of the roadway, and with a height of not less than three (3) inches nor more than four (4) inches. Such "speed humps" shall be installed for the purpose of improving pedestrian and traffic safety.

Speed hump installation: One (1) more speed humps spaced every two hundred (200) to five hundred (500) feet along a public highway. Except under special circumstances as determined by the director of public works, no speed hump shall be placed within two hundred (200) feet of a stop sign. Each speed hump in the installation shall be painted with distinctive markings, which shall include reflective tape or paint. Warning signs marked "speed humps" shall be placed on the righthand side of the street at the approach to each speed hump. Each speed hump shall be placed in a well-lighted area.

Street: A continuous, paved, uninterrupted public roadway bearing the same name.

Unit block: A section of a street with houses numbered in the same hundred such as 6800 through 6899 shall be one block and 6900 through 6999 shall be another block.

(b) **Erection and maintenance of speed hump installations.** In the regulation and supervision of traffic, the director of public works is authorized to place, erect and maintain upon the public highways of the town those speed hump installations as the mayor and council have or may direct, at the locations designated by the mayor and council. (c)

Request for speed hump installation. Request for a speed hump installation can be made by petition. (1) **Petition request:**

a. Residents of a street can submit a petition to the town administrator indicating that the residents of at least sixty (60) percent of the households of the street want speed humps to be installed on that street.

b. If a speed hump TRAFFIC CALMING installation(S) ARE is being requested for only a block of a street the petition must be signed by residents of at least sixty (60) percent of the households on the block of the requested installation site, as well as those households on the street within two hundred fifty (250) feet of the requested installation site, as determined by the town administrator.

c. The town clerk will validate the petition, will determine the total number of eligible households on the street, and will compute the percentage of households signing the petition. If that percentage is sixty (60) percent or greater, the town clerk will so inform the mayor, who shall schedule a public hearing.

(2) **Town clerk authorized to develop standard form.** To assist residents in petitioning for speed humps, the town clerk is authorized to develop and distribute a standard "request for speed hump TRAFFIC CALMING installation" petition form.

(d) **Procedures for public hearing on speed hump petitions:**

(1) Conduct of public hearing:

a. After having been notified by the town clerk that a valid petition has been received, the mayor will schedule a public hearing to solicit the opinions of the entire neighborhood and the town at large.

b. The town clerk shall send notice of the public hearing to all residents of the street, or block as the case may be, which is proposed to receive speed hump TRAFFIC CALMING action, and to the local neighborhood citizen association. The public hearing shall be advertised in the Cheverly Newsletter.

c. After conducting the public hearing and declaring the hearing record closed, the mayor and council shall announce its decision within fifteen (15) days of the close of the hearing record. Under extraordinary circumstances, this time limit may be extended by majority vote of the council.

d. The mayor and council may approve, approve with modifications, or deny the requested speed hump TRAFFIC CALMING installation.

e. The town clerk shall notify the petitioners, and their neighborhood or civic association of the mayor and council's decision, which shall also be published in the Cheverly Newsletter.

(2) Guidelines for evaluating public hearing. The following criteria are intended to guide the mayor and council in determining whether a request for speed hump action is reasonable and justified. These shall not be considered exclusive criteria:

a. The street proposed for a speed hump TRAFFIC CALMING installation has an identified speeding problem which cannot be alleviated in any other reasonable way than by a speed hump installation. Such a problem can be identified through a combination of resident complaints, police radar surveillance and ticketing practices, accident statistics, or history of previous efforts to control speeding on the street.

b. The street carries a higher volume of nonresidential traffic than would normally be expected.

c. The street has not been identified and is not used by the fire departments serving Cheverly as the primary fire and rescue route into Cheverly.

d. The installation of speed humps TRAFFIC CALMING be assessed for their potential impact on public transportation. e. The potential impact of speed humps on adjacent neighborhoods be assessed.

f. A technical study provided by the director of public works commenting on any hill, curve or street conditions of concern in the placement of the desired hump(s) TRAFFIC CALMING will be assessed.

(e) Procedures for removing a speed hump installation:

(1) Upon request of residents of sixty (60) percent of the households of a street or block containing a speed hump TRAFFIC CALMING installation, and after six (6) months have elapsed from the initial installation of the speed hump(s) TRAFFIC CALMING, the mayor and council may consider removing the speed hump TRAFFIC CALMING installation.

(2) The request for removal must be made by petition, subject to the procedures and conditions specified above in subsection (c) and (d).

(f) Miscellaneous:

(1) Placement of speed humps TRAFFIC CALMING near parks and playgrounds. The mayor and council may initiate the installation of speed humps on streets adjacent to neighborhood parks, playgrounds and schools.

(2) Authority of town over speed humps TRAFFIC CALMING. Nothing in these guidelines shall be construed as preempting the town, at its initiative, from installing, altering, maintaining, or removing a speed hump TRAFFIC CALMING or speed hump TRAFFIC CALMING installation. The town administrator will notify the appropriate neighborhood association and the affected residents of any proposed change to a speed hump TRAFFIC CALMING installation. The residents and the association will have an opportunity to discuss the proposed changes with the mayor and council before the change is adopted and implemented.

(3) Other control devices. If by decision of the mayor and council a speed hump PARTICULAR TRAFFIC CALMING DEVICE is deemed inappropriate for the petitioned instance, other physical speed control devices may be substituted.

(Ord. No. 5-88, 12-8-88; Ord. No. O-4-10, 10-14-10)

AND BE IT FURTHER ORDAINED that if any provision of this Ordinance or the application thereof to any person or circumstance is held invalid for any reason, such invalidity shall not affect the other provisions or any other

applications of the Ordinance which can be given effect without the invalid provision or applications, and to this end, all the provisions of this Ordinance are hereby declared to be severable.

AND BE IT FURTHER ORDAINED that this Ordinance shall take effect thirty (30) days from the date of its adoption; provided, however that a fair summary of the Ordinance is published at least once in a newspaper of general circulation in the Town of Cheverly.

INTRODUCED by the Mayor and Town Council of the Town of Cheverly, Maryland, at a regular meeting on December 14, 2017, at which meeting copies were available to the public for inspection.

ADOPTED by the Mayor and Town Council of the Town of Cheverly, Maryland, at a regular meeting on February , 2018, at which meeting copies were available to the public for inspection.